

**TOWN COUNCIL
WORK SESSION MEETING**

Monday, October 5, 2020

7:30 pm

Dial-In: 301-715-8592

Meeting ID: 86008316885

Agenda

1. Call to Order
2. Roll Call of Council
3. Moment of Silence
4. Pledge of Allegiance to the Flag of the United States of America
5. Approval of Agenda
6. Approval of Consent Agenda
 - a. Minutes from September 16, 2020
 - b. Minutes from August 19, 2020
7. Brief Presentation from the Following:
 - a. Flintstone Elementary School, Principal Brandi Stinson
 - b. Forest Heights Elementary School, Principal Dr. Peter Thompson
 - c. Greenwill Consulting Group, LLC, Town Lobbyist
8. Public Period (limit 2 minutes for each speaker)
9. Report of Officers and Committees
 - a. Town Treasurer Report
 - b. Public Works Director Report
 - c. Town Lobbyist
 - d. Code Enforcement, Ombudsman & Police Chief Report
 - e. Town Administrator Report
10. Council Report (Ward 1; Ward 11; Ward 111)
11. Mayor's Report
12. Legislation
13. New Business
14. Adjournment

**Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, August 19, 2020
Meeting Minutes**

Call to Order: 8:00 PM

Roll Call: CM Barnes, CM Kennedy II, CW Hines, CM Atkinson, CW Noble, CM Washington. Quorum established. Mayor Muhammad not present.

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by CW Hines to approve the agenda; seconded by CM Kennedy II; all in favor; motion passed.

Approval of Consent Agenda: Motion by CW Hines to approve the consent agenda; seconded by CM Kennedy II; all in favor; motion passed.

Public Period: Ms. Theresa Brownson asked what the Town is doing to make sure that every household is counted for the 2020 Census. CM Washington referred her to the Town Clerk for more in depth information on what the Town is doing.

Legislation

Resolution 48-20: A Resolution to approve a consulting services agreement with Greenwill Consulting Group, LLC as the Town Lobbyist; introduced by Mayor Habeeb-Ullah Muhammad. Motion by CW Hines to waive the full reading; seconded by CM Kennedy II; motion by CW Hines to adopt Resolution 48-20; seconded by CM Barnes; no discussion; vote (6 yes 0 no); motion passed.

Resolution 49-20: A Resolution to approve and accept a proposal and contract with Choice Concrete Construction, INC to perform certain street and sidewalk repairs on Seneca Drive and Terrell Avenue; introduced by Mayor Habeeb-Ullah Muhammad. Motion by CW Hines to waive the full reading; seconded by CM Atkinson; motion by CW Hines to adopt Resolution 49-20; seconded by CM Atkinson; discussion; CM Kennedy II implored the council and staff to look at conditions of various roads. He also recommended revising the master list to adjust for priorities of repair of the roads. CW Noble asked if there was a master list of repairs done that cost less than \$1,000, because the Council is not required for approval through a resolution for those projects. CM Washington asked the Town Administrator Mr. Robinson if they had a master list. Mr. Robinson said that they had identified 16 streets in need of repairs, and that they had spoken on the matter with CW Noble, CM Kennedy II, and the Public Works employees. CW Noble asked if Choice Concrete had any guarantee on their work. Public Works Director Mr. Vaughn answered that there was a 6-month guarantee period for repairs. CM Kennedy II commented that the council and residents should be educated about concrete maintenance. For example, salt may damage new concrete. CW Noble proposed having residents sign off on understanding. CM Washington said that this was an effort to start renovating all the streets in Town. Mr. Vaughn elaborated that it would be certain repairs on the driveway. Mr. Vaughn had taken pictures of at least 16 different sidewalks that need to be repaired or replaced based on being a trip hazard. He is also in the process of going through the streets and listing where patches need to be made. It would be left up to the Council to decide what to do once the list is compiled. CM Atkinson asked if they would try to get done before weather set in. Mr. Vaughn responded that that decision would be up to the Council. Vote (6 yes; 0 no); motion passed.

Resolution 50-20: A Resolution to authorize the Mayor/Council to accept the proposal and enter a contract with ASIL Public Relations, LLC to maintain community engagement/public relations for the Town of Forest Heights/Police Department; introduced by Mayor Habeeb-Ullah Muhammad. Motion by CW Hines to waive the full reading; seconded by CM Barnes; motion by CW Hines to adopt Resolution 50-20; seconded by CM Barnes; discussion; CM Barnes asked why the Police Department needed public relations. CM Washington explained that the company already handles the Town's meeting recording and social media, they would simply extend their services for the Police Department. Vote (6 yes; 0 no) motion passed.

New Business: CM Barnes asked if the Town could find another company to do mosquito control, since the Maryland Department of Agriculture is not doing that service this year due to COVID-19. CM Washington asked if there were any private companies that provided that service. CM Kennedy was not sure. CM Barnes asked the Town Administrator to see what other municipalities were doing. He also

noted that there were reports that the trash company were not fully emptying bins. CM Washington added that he had gotten similar reports and asked if some of the council could have a Zoom meeting with Goode Companies. CM Kennedy II noted that Public Works seemed to have to follow behind them all the time. Mr. Robinson answered that they had discussed this in the Town management meeting. He noted that part of the problem was citizens not following directions. The other part of the problem was Goode Companies with quality control. To that end, the Clerk has drafted a flyer with trash rules to be distributed to all the residents. He also asked that Goode Companies be notified of a two-week period for improvement starting next week. If that does not happen, then payments will be reduced. CW Noble did not think that the company should be given leeway or a two-week notice. CM Kennedy II interjected and said that while many residents follow the rules, there is a problem with Bulk Trash as well as a significant minority not abiding by the rules. Mr. Robinson addressed to CW Noble's assertion with the fact that Goode submits many complaints about improper trash set out by the residents. He felt that it was fair to give everyone time to correct behavior. CM Washington felt it was a good idea to remind the residents about the rules. It was resolved to have the administrative staff send out the letter to residents and then move forward.

CM Barnes noted that everyone who wants a mail in ballot must remember to send in the request, because it is not automatic.

CM Kennedy II reminded everyone that there will be a drive thru school supply giveaway on September 12 from 11am-1pm at the Municipal Building. He asked everyone to be safe and gave kudos to those working on location during the pandemic. He wanted to see who could come and maintain the grass. Mr. Vaughn noted that the grass at Bald Eagle Road was maintained Residents may be taking service vehicles home, so he advised to be aware of ordinances and notify the Chief of Police.

CM Barnes thanked the Town for sending him get well flowers.

CW Hines said that Forest Heights Elementary School is now open after its construction. She thanked CM Kennedy II for his work on a fallen tree.

Meeting Adjourned: 8:54 PM

**Town of Forest Heights
Town Meeting- 8:00 PM
Wednesday, September 16, 2020
Meeting Minutes**

Call to Order: 8:00 PM

Roll Call: CM Barnes, CM Kennedy II, CW Hines, CW Noble, CM Washington and Mayor Muhammad present. CM Atkinson not present, quorum established

Moment of Silence:

Pledge of Allegiance:

Approval of Agenda: Motion by CW Hines to approve the agenda; seconded by CM Kennedy II; all in favor; motion passed.

Approval of Consent Agenda: Motion by CW Hines to approve the consent agenda; seconded by CM Barnes; all in favor; motion passed.

Public Period: None

Motion to close meeting made by CM Washington Seconded by CW Hines Date: 9/16/2020 Time: 8:10pm Location: Virtual

Members in favor: CM Barnes, CM Kennedy II, CW Hines, CW Noble, CM Washington and Mayor Muhammad Opposed: None

Meeting was closed under General Provisions Art# (7) Topic: To consult with counsel to obtain legal advice. Reason for closed session: To settle agreement about property damages.

Motion to end closed Session: CM Washington seconded by, CM Kennedy II., Date 9/16/2020 Time: 8:40pm

Members in favor: CM Barnes, CM Kennedy II, CW Hines, CW Noble, CM Washington and Mayor Muhammad Opposed: None

In closed session: CM Barnes, CM Kennedy II, CW Hines, CW Noble, CM Washington and Mayor Muhammad, Town Administrator Linwood Robinson, Police Chief Anthony Rease, Town Attorney Kevin Best and Town Clerk Sherletta Hawkins

Legislation

Resolution 48-20: A Resolution to approving a settlement agreement with a claimant of a small property damages claim; introduced by Mayor Habeeb-Ullah Muhammad. Motion by CM Washington to waive the full reading; seconded by CW Hines; motion by CM Washington to adopt Resolution 51-20; seconded by CW Hines; no discussion; vote (5 yes 1 no); motion passed.

New Business: None

Meeting Adjourned: 8:42 PM

**Town of Forest Heights
Treasurer's Report
October 1, 2020**

	Bank Acct Balance <u>09/30/20</u>	Quickbook Balance <u>09/30/20</u>	Quickbook Balance <u>09/30/19</u>
TD Bank General Fund	111,862.18	56,961.47	106,170.76
TD Bank Rainy Day Fund	160,132.40	160,132.40	157,132.40
TD Bank Speed Camera	2,715,573.52	2,715,573.52	2,735,620.44
TD Bank Municipal Money Market	213,664.59	213,664.59	213,664.56
	<u>3,201,232.69</u>	<u>3,146,331.98</u>	<u>3,212,588.16</u>

General Fund Highlights:

1. Transfer of funds from Speed Camera Account to General Fund - \$100,000.00
2. Real Estate Tax distribution - \$81,667.61
3. Income Tax distribution - \$30,684.18
4. Highway User Grant payment for June 2020 - \$21,655.23
5. Personal Property/Utility Tax payments received - \$31,043.90
6. Sale of Solar Energy - \$405.48
7. Comcast Q4 Franchise Fee received - \$3,971.16

Note: The Speed Camera Account deposits increased in the month of September \$173,000. over the FY 2020 monthly average of \$62,700. This increase is due to the implementation of additional cameras.

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

October 1, 2020

Town Appearance:

- Maintenance and upkeep of the Community Park next to Henry's
- Daily Trash pickup on both sides of the town
- Monthly inspection of the Tot Lot
- Patching of potholes
- Reporting of Street light outages
- Leaf Pick up
- Cleaning storm drains and curbs of leaves and grass
- Cutting/removal of fallen trees
- Maintaining the Pet Waste Stations
- Monitoring of the Bigbelly Trash Compactors

Town Infrastructure:

- **N. Huron Drive**
 - Pervious Sidewalk passed ADA Compliance checks
 - ADA has recommended that the Crosswalk and stop signs at the pathway to the school next to the garden be removed and replaced with a speed hump.
 - While the pervious sidewalk was curing, a bicycle rode over it and left a tire track. As a result, 8 panels will need to be replaced because of the tread mark. Anything with a depression greater than ¼" will need to be redone for ADA compliance. Who will pay for?
 - Back curbs soon to be installed
 - Driveway slopes at 105, 107 & 117 are causing vehicles to drag when crossed. This will be corrected.
 - Resident at 23 sent email expressing her displeasure with the replacement of her fence. We have assured her that her fence will be fixed.
 - Water meter in driveway at 109 was repaired by WSSC
 - Attend weekly conference call meetings
 - Participate in onsite meetings
- **Sachem Drive – Hill:**
 - Sachem Hill is still undecided. Waiting on the Council's decision as to the contractor for the work to be performed
- Pathway cleared between Arapahoe Dr. & Arapahoe Terr.
- Painting Speed Humps and curbs (ongoing)
- Purchase and installing Speed Hump signs

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

- Compiled a list of sidewalks that will need repairing or replacing.
- Compiled a list of streets that will need possible patching
- Both parties, Goode Trash & TOFH, working together for a better solution to eliminate the excess trash in the streets.
- Choice Concrete will inform us next week as to the time they will start repairing the areas in front of Mrs. Mann and Mrs. McCutchen's Homes.
- Landscaping/Snow Removal RFP is being placed on eMaryland Marketplace

- **Cree Drive**
 - Pavement is heavily distressed/cracked due to a number overlays and groundwater run-off. Residents have sent in numerous complaints about Cree Dr., this has not been overlooked or forgotten. There have been a number of inspections done pertaining to Cree Dr. Government agencies, Contractors, WSSC, as well as Engineering Firms have looked at the cause of the breakdown of the pavement. The water has been tested by PG Department of the Environment to try to determine its origin. It is still to be determined. It is believed that approx. 50% of the water source may be coming from the homeowner. It's not in the best interest of the street to repair one or two areas, as the water has not ceased to flow. To repair Cree Drive, it will be a very intensive and expensive venture.

- **Rolph Drive**
 - The Pervious Concrete Sidewalk has started faulting and cracking. Mr. Drew Parks (Z-Con Concrete) came out to inspect the sidewalk. He will provide the town with a cost estimate to clean and repair the sidewalk. The original contractor has been informed and we are waiting for their response.

Building Infrastructure:

- POD rented to house donated furniture during 606 Modoc's construction.
- Temporary safety fence around construction project at 606 Modoc La.
- The Town Hall building is being cleaned and sanitized daily by DPW
- Abe Sbitan (Property Solutions) gave an estimate for deep cleaning and Disinfecting building with Micro Mist/High touch/contact surface cleaning and carpet cleaning.
- LED lights installed throughout the Municipal Building

Equipment Maintenance

- New Ford F-250 Pickup has new bedliner
- Purchased new battery for Chevy Silverado
- Echo Trimmer in shop for new trigger

The Town of Forest Heights

Department of Public Works

Larry D. Vaughn, Director

Other Areas:

- Answering Resident Communication
- A member of the Public Works Department backed into one of the public works garage doors. A police inspection was conducted and an incident report was filed.
- Making/receiving phone calls, follow ups and meetings with contractors and vendors daily
- Received Base map from on identifying drainage problem areas.
- New Ford F-250 DPW Pickup Truck arrived. Making inquiries for tags and bed liner
- Additional training on the paint stripper was given

GREENWILL

– Government Relations –

October 2nd, 2020

The Town of Forest Heights – September Briefing

Below are several topics we wish to brief the Board on, at Monday's meeting, October 5th, 2020. The information covers committee updates from September, Forest Heights initiatives, as well as new and continuing issues/initiatives that we are currently hearing out of Annapolis.

September 2020 Committee Hearings

- Education
- Workgroup to Address Police Reform and Accountability in Maryland
- Joint Covid-19 Response Legislative Workgroup – Pandemic Assistance & Response

Forest Heights Initiatives

- CRF – Disallowed expense & Re-allocation
Proposed Plan for 2021 Casino Local Impact Grant -
 1. Town Roads –The \$60,000 in this category would supplement funds and contribute in whole to the design, engineering, and construction of repairing and repaving streets in Forest Heights.
 2. Town Sidewalks - The \$60,000 in this category would be used to supplement State funds to construct sidewalks along one of its main streets in town, Seneca Drive.

Committee Focus in October

- Budget & Capital Debt
- Police Reform & Accountability
- Pandemic Assistance & Response
- Education

CODE ENFORCEMENT REPORT SEPTEMBER 2020

Date	Violation Type	Amount	Location	Disposition
9/1/2020	Vacant Property	\$250.00	122 Rolph Dr	Paid
9/3/2020	C building permit	\$83.24	204 Mohican Dr	Paid
9/4/2020	Civill Citation	\$300.00	5602 Arapahoe Dr	Paid
9/9/2020	Vacant Property	\$250.00	5708 ottawa St	Paid
9/9/2020	T building permit	\$50.00	5926 Ottawa St	Paid
9/15/2020	Rental License	\$75.00	5911 Shoshone Dr	Paid
9/17/2020	T building permit	\$50.00	5507 Livingston Rd	Paid
9/22/2020	T building permit	\$50.00	5701 Ottawa St	Paid
9/22/2020	T building permit	\$50.00	5806 Shoshone Dr	Paid
9/24/2020	T building permit	\$50.00	5715 Sachem Dr	Paid
9/25/2020	T building permit	\$50.00	103 N Huron Dr	Paid
Total:		\$1,258.00		

TOWN OF FOREST HEIGHTS
AUTOMATED SPEED ENFORCEMENT OMBUDSMAN
September 2020
Ombudsman Report
Ronald B Govan

For the month of September, the Town of Forest Heights had

- **20** Late fees requested
- **10** Late fee requests granted
- **6** Cancel citation
- **5** Flag Release

FOREST HEIGHTS POLICE DEPARTMENT SEPTEMBER REPORT

Incident Type Total

911 DISCONNECT	22	
ACCIDENT	7	
ANIMAL COMPLAINT	4	
ARMED PERSON	3	
ASSIST FIRE EMS	3	
BREAK IN REPORT	1	
CHECK WELFARE	2	
CHECK WELFARE COMBINED	2	
DISORDERLY	9	
DISPUTE W/ WEAPONS	1	
DOMESTIC	7	
FAMILY DISPUTE	3	
FIGHT	1	
FIGHT COMBINED	1	
GUNSHOTS	5	
HIGHWAY ACCIDENT COMBINED	1	
HIT AND RUN	5	
LOITERING COMPLAINT	1	
MISC POLICE INCIDENT	12	
MISSING PERSON	1	
PARTY COMPLAINT	1	
PREMISE CHECK	62	
RESIDENTIAL ALARM	4	
RESIDENTIAL PANIC ALARM	1	
STOLEN VEH	2	
SUBJECT STOP3		
SUSPICIOUS AUTO	6	
SUSPICIOUS OCC AUTO	9	
SUSPICIOUS PERSON	3	
THEFT FROM AUTO	2	
THEFT REPORT	1	
THREATS COMPLAINT1		
TRAFFIC COMPLAINT	14	
TRESPASSING COMPL	1	
UNKNOWN TROUBLE	8	
VANDALISM	2	
VEHICLE ACCIDENT COMBINED	5	
Total Calls -->	216	

The Forest Heights Police Department has been focusing on pedestrian and traffic safety. FHPD has been issuing Out of State Tag Notices to violators. We request that residents with out of state registration plates to register their vehicle to Maryland or obtain a non-resident permit from the Motor Vehicle Administration or an authorize Tag and Title service agent. Failure to adhere to the law will result in a citation.

Fortitude Honor Peacemaker Devoted

STATISTICAL REPORT

State Traffic Citations- 401

Parking Citations Issued 10

Arrest-14

Impounds-44

Reports-78

Town Council Work Session Report For 10.5.20 (Town Administrator)

Part Time Code Enforcement Officer Resignation

Mr. Devitri Ford, who was hired on August 15th to serve the town as the new part-time code enforcement officer has recently resigned. Mr. Ford decided to return to the City of Seat Pleasant as a code enforcement official. We wish him luck in all his future endeavors.

Police Officer Ocie Miller Resignation

Officer Ocie Miller recently resigned from the Forest Heights Police Department to accept a law enforcement position at another municipality. We appreciate his service to the citizens of Forest Heights and wish him luck in all his future endeavors.

Requests for Proposals Advertised (RFP)

On August 20th the Town began advertisement to request proposals to enter into a contract for Professional Auditing services. The responsive certified public accounting or similar firm will be hired to conduct an audit of the Town's financial records and prepare the official financial statement for the past fiscal year. The contract is expected to include stipulations for the possibility of a two-year extension if agreed upon by all parties.

The advertisement for auditing services closed on September 9th. An internal Committee established to make a recommendation to the Mayor and Town Council on which firm to hire will meet within the next week or two. A contract offer should be extended to one of the RFP respondents shortly after.

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 52-20**

**A RESOLUTION TO APPROVE A DONATION TO THE FOREST HEIGHTS
POLICE DEPARTMENT OF (1) GREEN DUAL PURPOSE K9 FROM SOUND
CANINE SERVICES.**

Introduced by: Habeeb-Ullah Muhammad, Mayor

WHEREAS, the Town of Forest Heights Police Department has a K9 program which provides Forest Heights police officers assistance with tracking down and apprehending criminals, detecting controlled dangerous substances and help in other scenarios often encountered while performing their law enforcement duties; and

WHEREAS, the Chief of Police finds it necessary to add a second K9 to the Department to fill the void when the existing K9 is not available for service; and

WHEREAS, the Charles County Sheriff's Office and the Federal Government frequently receive K9 animals from Sound Canine Services and has determine them to be a trusted K9 vendor; and

WHEREAS, the acceptance of the K9 will ensure that more officers have an option at their disposal when reacting to escalating safety situations where a K9 can be useful; and

WHEREAS, the Charles County Sheriff's Office has invited the Forest Heights Police Department to participate in their K9 trainer school starting October 30, 2020 at no cost; and

WHEREAS, the Charles County Sheriff's Office has evaluated the K9 (German Shepard) and has deemed it fit for such purposes.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby authorize the Chief of Police or his designee to accept (1) Green Dual Purpose K9 from Sound Canine Services.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon passage.

PASSED this ____ day of October 2020.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

<u>ROLL CALL VOTE</u>	<u>YEA/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	_____
KENNEDY II	_____
NOBLE	_____

The Town of Forest Heights
Resolution 52-20

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 52-20**

BARNES	_____
HINES	_____
ATKINSON	_____
WASHINGTON	_____

ATTEST:	THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND
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_____	By: _____
Sherletta Hawkins, Town Clerk	Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of October 2020 with ____ Aye votes and ____ Nay votes the aforesaid Resolution ____-20 passed.

Sherletta Hawkins, Town Clerk

THE TOWN OF FOREST HEIGHTS

RESOLUTION 53-20

A RESOLUTION TO PURCHASE ONE 2014 FULLY EQUIPPED FOR K9 DODGE CHARGER PURSUIT AND TWO 2012 DODGE CHARGER PURSUIT VEHICLES FOR PATROL FROM THE CITY OF SEAT PLEASANT

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Town Charter, § 33-63(f) authorizes the Town to forego the normal procurement process through cooperative purchasing in certain cases where another government entity has already made a competitive purchase of said item and therefore the Mayor and Council may, without soliciting bids, purchase the item in question at the bid price from the successful bidder, if the Mayor and Council determines that the bid price is competitive, and

WHEREAS, the Town Charter, § 33-63(g) further authorizes the Mayor and Council by a two-thirds vote to waive the competitive bidding requirements of said Charter section for good cause shown for sole source procurements of unique products and services, and that written findings as to the basis of such waiver shall be placed in the journal of the Council's proceedings, and

WHEREAS, the Town Ordinance Code, § 20.4(a)(6) states that upon written findings entered into the journal, the Mayor and Council may exempt the purchase of a good or service from competitive selection processes when the purchase qualifies as a sole source procurement as a result of several circumstances including: One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good or service or the procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, and could most satisfactorily provide the good or service, and

WHEREAS, the Chief of Police finds it necessary to purchase a 2014 Dodge Charger (60,638 miles) that is equipped with a 2019 American Aluminum transport kennel, K9 heat alarm, SoundOff lights and siren, Axon in-car camera system, Verizon Network Fleet GPS system, and a Motorola in car radio that values at \$17,000, and

WHEREAS, the Chief of Police finds it necessary to purchase one 2012 Dodge Charger Pursuit (42,315 miles) that is equipped with Lojack, Axon in-car camera system, SoundOff lights and siren, Prograd Prisoner Cage, and a Motorola in -car radio that values at \$15,000, and

THE TOWN OF FOREST HEIGHTS

RESOLUTION 53-20

WHEREAS, the Chief of Police finds it necessary to purchase one 2012 Dodge Charger Pursuit (64,576 miles) that is equipped with SoundOff lights and siren and a Motorola in car radio that values \$11,567, and

WHEREAS, the Mayor and Council desire to purchase three fully equipped Dodge Charger Pursuit vehicles from the City of Seat Pleasant and where the City of Seat Pleasant to provide a vehicle titles without a lien within one week of receiving payment in full, and

WHEREAS, the Chief of Police had all Dodge Charger Pursuit vehicles inspected by a certified ASE certified mechanic from Norris Garage who regularly works and inspects the Town's vehicles, and

WHEREAS, the City of Seat Pleasant is selling the three fully equipped vehicles well below market value for a price of \$15,533.51, and

WHEREAS, the Treasurer has certified that the funds are available under line item 7074 and it has been verified that the City of Seat Pleasant is a unique provider has made government sales, and the procurement is for items of a specialized nature in accordance with Section 20.4(a)(6) of the Ordinance Code for the Town of Forest Heights, and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Town Council of Town of Forest Heights, Maryland hereby authorize the Chief of Police to purchase three fully equipped used Dodge Charger Pursuit vehicles from City of Seat Pleasant for a price not to exceed \$15,533.51. This transaction will proceed as further described herein and in the above recitals which are incorporated by reference herein.

PASSED this ____ day of May 2020.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

KENNEDY II

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

The Town of Forest Heights

Resolution 53-20

THE TOWN OF FOREST HEIGHTS

RESOLUTION 53-20

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN
OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of October 2020 with ____ Aye votes and ____ Nay votes the aforesaid Resolution ____-20 passed.

Sherletta Hawkins, Town Clerk

Exhibit A

City of Seat Pleasant
6301 Addison Road
Seat Pleasant, MD 20743
3013362600

INVOICE



Invoice # 002
Invoice Date 09/15/20
Amount Due: \$15,533.51

Bill To:

Town Forest Heights Police Department
5508 Arapahoe Drive
Forest Heights, MD 20745
United States

Ship To:

5508 Arapahoe Drive
Forest Heights, MD 20745
United States

Due Date	Terms	Sales Rep
10/30/20		Lt. Marcus Jones

Item	Description	Quantity	Price	Amount
Sales	Used Motorola APX 7500 Mobile Radio	3		\$2,933.51
Sales	Used 2014 Dodge Charger K9 Unit (VIN: 2C3CDXAG2EH279576)	1	\$4,200.00	\$4,200.00
Sales	Used 2012 Dodge Charger Unmarked Unit (VIN: 2C3CDXAG7CH304453)	1	\$4,200.00	\$4,200.00
Sales	Used 2012 Dodge Charger (VIN: 2C3CDXAGXCH305676)	1	\$4,200.00	\$4,200.00
)			

Subtotal: \$15,533.51
Sales Tax: \$0.00
Total: \$15,533.51
Payments: \$0.00
Amount Due: \$15,533.51

To pay online, go to <https://app.bill.com/p/cityofseatpleasant>

**TOWN OF FOREST HEIGHTS
RESOLUTION 54-20**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO APPROVE THE EMPLOYMENT AND APPOINTMENT OF BRIAN FRAYER AS A LIEUTENANT TO SERVE WITHIN THE FOREST HEIGHTS POLICE DEPARTMENT

Introduced By: Mayor Habeeb-Ullah Muhammad and Council President Calvin Washington

WHEREAS, pursuant to Section 33-66 of the Charter of the Town of Forest Heights (the "Charter") the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or other state law and to operate the Town government; and

WHEREAS, pursuant to Section 33-18(b) of the Charter, all full-time subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

WHEREAS, pursuant to Section 23.2 of the Town Ordinance Code, certain minimum qualifications for police officers is stated therein, and the Chief of Police has verified to the Mayor and Council that the candidate is of good moral character and emotionally stable, as determined by a comprehensive background investigation, which includes fingerprinting of the applicant and a search made of local, state and criminal records, including a check of military, selective service, school and credit agency records which a summary is attached and referred to as Exhibit A; and

WHEREAS, pursuant to General Order No. 2016-1 (Ch. 2, § 3) sworn personnel will remain on probation until successfully completing twelve (12) consecutive months of full-time employment with the FHPD and authorized by the FHPD Chief of Police as having successfully completed the probation period; and

WHEREAS, the Council finds that Brian Frayer has shown that he has the necessary experience, training, MPTC certifications and knowledge to serve as a Lieutenant in the Police Department and it is in the best interest of the Town to appoint Mr. Frayer as a Lieutenant.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby consents to the Mayor's appointment of Brian Frayer as a Lieutenant (Police Officer) at the annual salary of \$50,150.20; and

BE IT FURTHER RESOLVED, that said officer's salary shall be paid from line item 7270 Salary from the FY2021 Budget; and

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

**TOWN OF FOREST HEIGHTS
RESOLUTION 54-20**

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED this ____ day of October 2020.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

KENNEDY II

NOBLE

BARNES

HINES

WASHINGTON

ATKINSON

ATTEST:

THE TOWN OF FOREST HEIGHTS

Sherletta Hawkins, Town Clerk

Habeeb-Ullah Muhammad, Mayor

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ____ day of October 2020 with ____ Aye votes and ____ Nay vote the aforesaid Resolution __-20 passed.

Sherletta Hawkins, Town Clerk

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 55-20**

**A RESOLUTION TO SELECT AND APPROVE A FEE PROPOSAL FROM FES
GROUP, LLC TO STABILIZE STEEP SLOPES OVERLOOKING SACHEM DRIVE**

Introduced by: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Charter, Section 33-73 (Public ways, control) states that the Town of Forest Heights (the "Town") shall have control of all public ways in the Town except such as may be under the jurisdiction of the State Roads Commission of Maryland or Prince George's County and that subject to the laws of the State of Maryland and this Charter, the Town may do whatever it deems necessary to establish, operate, and maintain in good condition the public ways of the Town; and

WHEREAS, pursuant to Section 33-20(b)(11) (Cooperative activities) of the Town Charter, the Council is authorized to make agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions; and

WHEREAS, pursuant to Section 33-20(b)(36) (Obstructions) of the Town Charter, the Council is authorized to remove all nuisances and obstructions from the streets, lanes and alleys and from any lots adjoining thereto, or any other places within the limits of the Town; and

WHEREAS, in 1961 the Town entered into an agreement with the State Roads Commission to assume responsibility for maintaining Sachem Drive even though the roadway is located within the State Right -of-Way; and

WHEREAS, the Town wishes to install certain improvements to protect certain vulnerable areas of steep slopes situated adjacent to 5813 Sachem Drive that are causing erosion and potential mudslides into the roadway; and

WHEREAS, the SHA District Engineer for Dist. 3 has agreed to grant the Town permission to enter State property and make the necessary improvements provided the Town assumes responsibility for those improvements and Town Council has approved a Right of Entry and Maintenance Agreement dated March 9, 2020 between the Town of Forest Heights and the State Highway Administration; and

WHEREAS, the Mayor and Council finds that the present condition of the steep slopes along Sachem Drive near or abutting 5813 Sachem Drive poses a real if not an imminent threat to the health, safety and welfare of the travelling public; and

WHEREAS, the Town has formally made a request for proposals for Slope Erosion Repair and Stabilization (RFP No. 01-2020) with a pre-bid meeting on May 19, 2020, a submission deadline on June 1, 2020 and bid/proposal opening occurring on June 5, 2020; and

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 55-20**

WHEREAS, the necessary improvements have been inspected and surveyed on site and recommended by qualified experts and the staff has obtained two (2) proposals to install certain stabilization design parameters; and

WHEREAS, Arya Civil, LLC has submitted a proposal for slope erosion and stabilization (100 LF) along Sachem Drive to design and construct a retaining wall along with underdrain and riprap on the slope to protect it from erosion in the future at a project cost of \$1,022,500.00, which is attached hereto as Exhibit 1; and

WHEREAS, a similar proposal from FES Group to perform the construction for the slope stabilization and the design and geotechnical engineering to be completed by its engineering subcontractor, KCI Technologies, Inc., would repair only the section of the slope that has presently failed (~30' X 100'), with a scope of services consisting of designs, survey, traffic control plan and construction services necessary to construct long-term slope stabilization elements where the existing slopes failed at a project cost of \$300,000.00; and

WHEREAS, the Town is further interested in ultimately providing stabilization for the entire length of the slope along Sachem Drive which is several times larger in terms of linear feet; however, staff recommends that the Town initially address and repair the failed section of the slope initially as phase 1 of approximately 100 linear feet, but Staff recommends that the Town proceed with completing the rest of the area over time as more funding is identified for phases 2 or 3, for the approximately 500 additional linear feet remaining that may also need remediation; and

WHEREAS, notwithstanding the fact that in these circumstances competitive proposals were obtained, as described above, the Mayor and Council could reject the proposals and by a two-thirds vote may waive the competitive bidding requirements of said section for good cause shown for sole source procurements of unique products and services provided that written findings as to the basis of such waiver are placed in the journal of the Council's proceedings; and

WHEREAS, the Mayor and Council find that FES Group, LLC's services are the lowest or best bid in terms of the quality of goods and work, time of delivery or completion, and responsibility of bidders being considered and will adequately address the particular needs of the Town in supplying this public works project in an incremental yet cost effective manner.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby awards the proposal, and approves and authorizes a Fee Proposal (Project No. FES19-056) in the amount of \$300,000.00 with certain conditions and exclusions enumerated therein, for the design, construction and stabilization of a slope failure along Sachem Drive dated June 26, 2020 and prepared by FES Group, LLC, a Maryland company that is in good standing with the State, which is attached hereto and incorporated by reference herein as Exhibit 2.

AND, BE IT FURTHER RESOLVED that the Town Council hereby authorizes the Mayor to negotiate and finalize a written contract with FES Group, LLC to be paid pursuant to

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 55-20**

FY21 Budget Line Item _____ with any proofs of insurance and indemnifications deemed necessary by the Town Administrator to protect the Town and carry out the performance of the project described herein.

AND BE IT FURTHER RESOLVED that the parties shall enter into a service agreement agreed to by both parties and subject to approval by the Mayor and Council of the Town of Forest Heights at a public meeting prior to the commencement of any work; and

AND BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its passage.

PASSED this ____ day of October 2020.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

KENNEDY II

ATKINSON

BARNES

HINES

WASHINGTON

NOBLE

ATTEST:

THE MAYOR AND COUNCIL OF THE
TOWN OF FOREST HEIGHTS, MARYLAND

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 55-20**

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the ___ of October 2020 with ___ Aye votes and ___ Nay vote the aforesaid Resolution __-20 passed.

Sherletta Hawkins, Town Clerk

[Exhibits 1 & 2 Vendor Proposals (2)]

Sachem Drive Hill Slide Fact Sheet
(RFP Responses Received)

ARYA CIVIL, LLC

Proposed Scope of Work:

- Construction of Retaining Wall w/ Underdrain to direct water run-off (Height approximately 10 feet)
 - Support of Excavation (SOE) (Metal or wood supports installed temporarily to protect properties during construction)
 - Install riprap to prevent future erosion
 - Related Engineering Services*
 - Removal of Trees in failed area
 - Shaping Remaining Portion of Slope to conform
- (Total Cost: \$1,022,500.00)

FES GROUP

Proposed Scope of Work:

- Construction of 6-foot Modular Retaining Wall w/ shallow swale to direct water run-off to an inlet
 - Related Engineering Services*
 - Shaping Remaining Portion of Slope to conform
 - Slope stabilization system (Galvanized wiring & helical anchors, topsoil)
 - Seeding Slope Surface
 - Removal of Trees & Debris that interferes with construction
- (Total Cost: \$300,000.00)

BOTH PROPOSALS INCLUDE APPROX. 100 LINEAR FEET AND APPROX. 30 FEET
HIGH PROJECT AREA.

(*See Project Proposal)

SAMPLE WALL.jpg



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Full screen



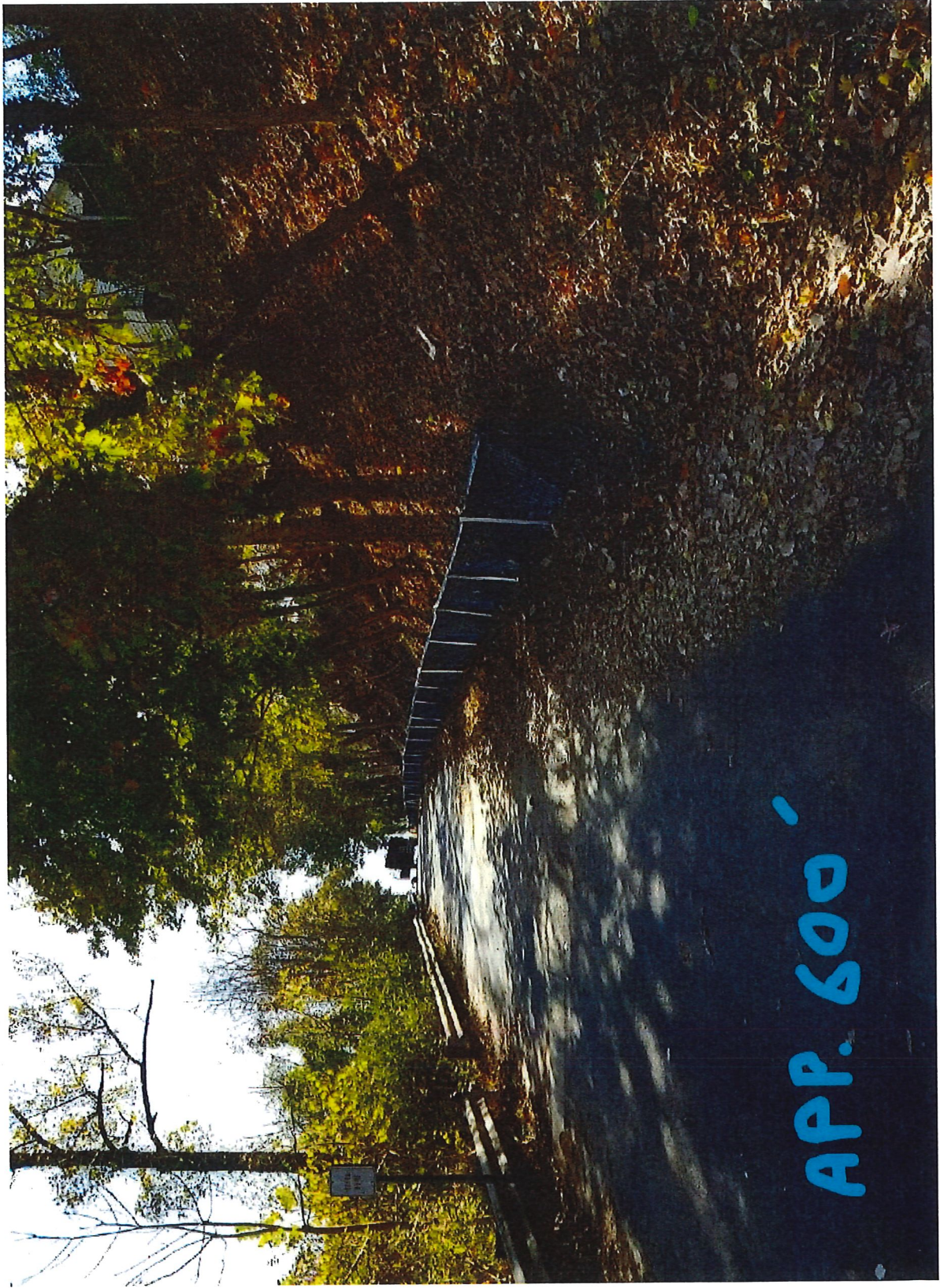
Print



Save to OneDrive









**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 03-20

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND REVISING ARTICLE 15 (PARKING AND TRAFFIC) OF THE TOWN ORDINANCE CODE, BY CHANGING, AMENDING, RENAMING OR RE-ADOPTING CERTAIN PROVISIONS OF SAID ARTICLE INCLUDING SECTION 15.3. (AUTHORITY TO ERECT SIGNS REGULATING PARKING AND TRAFFIC) TO AUTHORIZE THE TOWN TO INSTALL AND OPERATE TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS AT CERTAIN INTERSECTIONS WITHIN THE TOWN AND IMPOSE CERTAIN FINES AND FEES FOR RED LIGHT VIOLATIONS; AND TO AMEND SECTION 15.13 (PENALTIES; FEES) TO PROVIDE FOR A CIVIL PENALTY TO BE ESTABLISHED FOR RED-LIGHT CAMERA VIOLATIONS AND TO AUTHORIZE REGISTRATION FLAGGING AND CERTAIN LATE AND DEBT COLLECTION FEES TO BE ASSESSED OR CHARGED TO SUCH VIOLATIONS INCLUDING PARKING VIOLATIONS; TO MODIFY AND RE-ENUMERATE CERTAIN SUBSECTIONS OF SAID SECTIONS; AND GENERALLY RELATING TO THE COLLECTION OF FINES, FEES AND THE REGULATION OF TRAFFIC AND PARKING WITHIN THE TOWN OF FOREST HEIGHTS.

Introduced By: Mayor Habeeb-Ullah Muhammad

WHEREAS, pursuant to § 33-20(a) of the Town Charter, the Council shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or said Charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger, or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein; and

WHEREAS, pursuant to § 21-202(h)(1) of the Transportation Article of Md. Ann. Code, vehicular traffic facing a steady circular red signal alone: (i) Shall stop at the near side of the intersection: 1. At a clearly marked stop line; 2. If there is no clearly marked stop line, before entering any crosswalk; or 3. If there is no crosswalk, before entering the intersection; and (ii) Except as provided in subsections (i), (j), and (k) of this section [21-202], shall remain stopped until a signal to proceed is shown, and under § 21-202.1(d)(2) a civil penalty for owner or driver of vehicle in violation of § 21-202(h) may not exceed \$100; and

WHEREAS, pursuant to § 21-202(h)(1) of the Transportation Article of Md. Ann. Code, unless a sign prohibits turning on red, after coming to a complete stop, a driver may turn right or turn left from a one way street to another one-way street, and when turning on a red signal, a driver must yield the right of way to pedestrians and all other traffic, and if a vehicle proceeds into the

CAPITALS	:	Indicate matter to be added to existing law
[Brackets]	:	Indicate matter to be deleted from existing law
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 03-20

intersection after the signals have turned red, pictures and/or video are then taken, but a motorist in the intersection when the signal changes to red (waiting to turn left, for example) is not a red light runner; and

WHEREAS, pursuant to § 21-202.1 of the Transportation Article of Md. Ann. Code, a law enforcement agency primarily responsible for traffic control at an intersection is authorized to issue citations through the operation of a device known as a “traffic control signal monitoring system” which uses one or more motor vehicle sensors working in conjunction with the traffic control signal to produce recorded images of motor vehicles entering an intersection against a red signal indication; and

WHEREAS, according to Section 1.7 of the Town Ordinance Code and pursuant to Md. Ann. Code, LG Art., § 4-111, unless the provisions of the Town Ordinance Code expressly states otherwise, the Town is generally exempt from all legislation heretofore or hereafter enacted by the County relating to any subject upon which the Town has been heretofore or is hereafter granted legislative authority to act, either by public general law or by the Town Charter, and upon which subject the Town in fact acts, and legislation of Prince George's County pertaining to a subject as to which the Town has not acted shall be in effect in the Town unless and until the Town specifically exempts itself therefrom; and

WHEREAS, pursuant to a Memorandum of Understanding for Jurisdictional Police Services between the County and the Town dated Oct. 3, 2011, original and follow-up investigations of all crimes or all incidents, occurring within an area under Town jurisdiction shall be handled by the Forest Heights Police Department (“FHPD”), except for the certain specifically enumerated serious crimes or incidents, and their attempts and conspiracies to commit them, in which cases the follow-up shall be handled by the County Police; and

WHEREAS, the Mayor and Council finds that automated enforcement detects and identifies violators of the law without the dependency of a police presence, and has proven to reduce the number of red light violations by 40 percent; and

WHEREAS, the Mayor and Council further finds that, within the Town’s corporate limits and as defined in §21-202.1(a)(2) of the Md. TR Article, the FHPD is the law enforcement agency primarily responsible for traffic control at intersections having traffic control signals operated and maintained under the control of the State; and

WHEREAS, the Mayor and Council further finds that the County Police under contract with Conduent, Incorporated operates Red Light Cameras and issues violators a \$75 citation in at least 48 locations throughout Prince George’s County including inside the Town along State Route 210 at Audrey Lane (inactive); and

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**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 03-20

WHEREAS, the Mayor and Council intends to enhance the Town police department's traffic control capability by implementing a red-light camera program and assuming primary responsibility and control over the regulation of vehicles and traffic within the Town's corporate limits by the use of such devices along all public ways and highways except along those highways owned and maintained by the County.

SECTION 1.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, that Article 15 (Parking and Traffic), Section 15.3 (Authority to erect signs regulating parking and traffic) and Section 15.13 (Penalties; Fees) of the Town of Forest Heights Ordinance Code as written herein below are hereby enacted, adopted, revised and amended such that said Ordinance Code and said Article shall henceforth read as follows:

* * *

ARTICLE 15 – PARKING AND TRAFFIC

Section 15.3. Authority to erect signs regulating parking and traffic AND INSTALL TRAFFIC CONTROL SIGNALS AND MONITORING DEVICES.

A. Whenever in the judgment of the Mayor of the Town of Forest Heights, it is necessary for the safety and control of vehicle or pedestrian traffic or for the regulation of the use of parking areas, the Mayor is authorized to erect or cause to be erected "Stop," "No Parking," "Speed Limit," "One Way," or any other traffic control devices designed to control, regulate, warn or guide traffic or limit parking on public streets, highways, or other areas in the Town, provided that no such signs or devices shall be erected or posted for other than temporary and emergency purposes for a period not to exceed 60 days duration without the final approval of the Town Council.

B. Such final approval as stated in Subsection A shall be made by resolution of the Council, and a statement of said final decision to erect or post a specific traffic control device shall be placed in the list described in Subsection D.

C. It shall be the duty of all persons to observe such signs or devices, and, any person failing to observe any such sign or device shall be in violation of this Article.

D. A list and description of such posted signs or devices shall be available for public inspection at the office of the Forest Heights Police Department.

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**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 03-20

E. All traffic control signs, signals, and devices shall conform to the specifications approved by the State Highway Administration and published in the latest edition of the Manual on Uniform Traffic Control Devices.

F. Unless otherwise permitted by state or county law, no such signs or traffic control devices shall be erected or posted on a County or State highway without the consent of the appropriate State or County authority having possession, title or responsibility for the maintenance of said highway.

G. EXCEPT FOR HIGHWAYS OWNED AND MAINTAINED BY THE COUNTY, THE MAYOR, IN CONJUNCTION WITH THE CHIEF OF POLICE, IS AUTHORIZED TO DETERMINE THOSE INTERSECTIONS WHERE TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS ARE TO BE INSTALLED AND OPERATED TO REGULATE TRAFFIC. THE MAYOR IS FURTHER AUTHORIZED TO CONTRACT WITH A PRIVATE VENDOR, THE STATE OF MARYLAND OR ANY OF ITS POLITICAL SUBDIVISIONS FOR THE INSTALLATION AND OPERATION OF TRAFFIC CONTROL SIGNAL MONITORING SYSTEMS AT INTERSECTIONS LOCATED WITHIN THE TOWN.

* * *

SECTION 15.13: PENALTIES; FEES.

* * *

(D) RED-LIGHT CAMERA VIOLATIONS.

(1) A CIVIL PENALTY IN THE AMOUNT OF \$75 PER VIOLATION IS ESTABLISHED FOR RED-LIGHT CAMERA VIOLATIONS.

(2) THE PENALTY SHALL BE PAID TO THE TOWN OF FOREST HEIGHTS, AND ALL UNPAID VIOLATIONS SHALL BE FORWARDED TO THE TOWN'S CONTRACTOR FOR COLLECTION. EXCEPT IN UNCONTESTED CASES INVOLVING A RED-LIGHT CAMERA ADMINISTRATIVE COLLECTION ACTION, THE PENALTY SHALL BE COLLECTED BY THE DISTRICT COURT OF MARYLAND IN ACCORDANCE WITH §7-302(A) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE OF THE MARYLAND ANNOTATED CODE AND § 21-202.1 OF THE TRANSPORTATION ARTICLE OF THE MARYLAND ANNOTATED CODE, AND DISTRIBUTED IN ACCORDANCE WITH §12-118 OF THE TRANSPORTATION ARTICLE OF THE MARYLAND ANNOTATED CODE, AS ANY OF THE FOREGOING MAY BE AMENDED FROM TIME TO TIME.

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**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

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~~[(D)]~~(E) Other violations. A violation of subsection (v) of Section 15.3.2 (Parking and truck restrictions) shall be deemed a municipal infraction, and the penalty shall be a fine of \$250. If not paid within 20 days of the date of violation of notice, the fine shall double to a fine of \$500.

~~[(E)]~~(F) ~~[Where applicable, the procedures for prosecuting violations of this Article shall be further governed by the provisions of the Maryland Transportation Article of the Annotated Code of Maryland.]~~ Late fee. Unless otherwise stated on the citation form as authorized by State law or ordinance, any person issued a citation under this Article shall pay the fine within 20 days of the issuance of the citation. ~~[Except in cases where the fine is doubled as provided for in Subsection (B),]~~ A[a]ny person issued a citation who fails to pay the penalty set forth in this Article within the prescribed time, or should any person fail to elect to stand trial within the prescribed time, a late fee in the amount of \$25 shall be assessed the person liable for the citation under this Article. Except for late fees accrued for unpaid or untimely paid speed camera (i.e., speed-monitoring system) violations issued pursuant to Section 15.6 or RED-LIGHT CAMERA VIOLATIONS ISSUED PURSUANT TO SECTION 15.3, all other late fees assessed under this Article ~~[shall]~~ MAY accrue without further notice. The late fee assessed to a speed OR RED-LIGHT camera violation OR PARKING VIOLATIONS COLLECTED BY AN AUTOMATED SYSTEM shall accrue upon written notification by the Town.

~~[(F)]~~(G) Returned check fee. Any person who pays any penalty assessed under this Article shall further pay a returned check fee of \$35 to the Town should the check be returned unpaid for any reason by the payor's bank.

~~[(G)]~~(H) Flagging fee. The Chief of Police shall, in accordance with the procedures prescribed by the State Motor Vehicle Administration and State law, give or cause to be given notice to the Administration and the respective owners of all vehicles registered by the State and the subject of any UNSATISFIED CONTESTED OR UNCONTESTED ~~[outstanding]~~ and past due parking, RED-LIGHT or speed-monitoring system violations of this Article thereby requesting that the Administration refuse registration or transfer of registration of the subject vehicle, until notified by the Town that the violation penalty has been satisfied. In such cases, the Chief of Police shall impose an additional cost or municipal administrative flagging fee of \$40 for each registration or transfer to be withheld, suspended or denied, and the owner of the vehicle shall be liable or further subject to the payment of such costs, and all other fines, penalties, fees and charges that have accrued or have been assessed pursuant to this Article before notice is given to the Administration that the subject violation penalty has been satisfied and the registration is to be released.

~~[(H)]~~(I) Debt collection fee. Any fine or associated fees or costs permitted by this Article that remain uncollected from an owner or operator made civilly OR CRIMINALLY liable under this Article ~~[but not subject to a vehicle registration flagging request by the Town as would otherwise be authorized pursuant to § 26-305 of the Transportation Article of the Annotated Code of~~

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**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 03-20

~~Maryland~~], after at least 30 days from the date the debt accrues and written notice is provided to the owner or operator, said debt owed to the Town may be referred to a collection agency or attorney for collection ~~[and reporting to a major credit bureau]~~, in accordance with state and federal law. Said fee or cost for collection of the delinquent debt (i.e., fine, late fee, returned check fee, and/or flagging fee) as permitted by this subsection shall not exceed two times the past due amount or total sum indebted to the Town. The Town may alternatively or further elect to file a civil suit against the responsible party to recover the fine and associated fees.

~~[(F)]~~(J) Boot fee. In addition to any other authorized charges, a boot or immobilization fee of \$100 shall be charged a vehicle owner who violates this Article or is otherwise responsible which results in immobilization as described in this Article to defray the Town's cost of installing, removing and maintaining the boot device.

~~[(F)]~~(K) Resolutions establishing fines, charges and fees. The Town Council is hereby authorized to specifically establish, set, adopt, amend or change from time to time by formal resolution any fines, fees, allowed interest, or charges established by this Article or as otherwise permitted by state law.

* * *

SECTION 2. AND BE IT FURTHER ORDAINED AND ENACTED, that any prior ordinances adopting and enacting any provision of Article 15 of said Code or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found herein shall be deemed repealed and superseded by the provisions of this Ordinance. Should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED AND ENACTED, that except for highways under the jurisdiction of Prince George's County, the Town of Forest Heights hereby exempts itself from any County legislation authorizing the use of traffic control signal monitoring systems at certain intersections that may be installed to regulate traffic within the Town.

SECTION 4. AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect thirty (30) calendar days following adoption by the Town Council, having been passed by the required yea and nay votes of the Mayor and Council of the Town of Forest Heights.

SECTION 5. AND BE IT FURTHER ORDAINED AND ENACTED, that upon passage, the Town Clerk shall cause to be published a summary of this Ordinance at least twice in the town newsletter or a newspaper having general circulation within the Town of Forest Heights.

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**MAYOR AND COUNCIL
THE TOWN OF FOREST HEIGHTS**

ORDINANCE NO. 03-20

HAVING BEEN INTRODUCED AND HAVING BEEN READ, as an ordinance and passed by a ye and nay vote of the Mayor and Council of the Town of Forest Heights with the affirmative votes of at least four (4) of the members of the legislative body including the Mayor as indicated below at a Public Meeting of The Mayor and Council of the Town of Forest Heights held on this ____ day of _____ 2020, at _____ o'clock ____m., in the Municipal Building in Forest Heights, Maryland.

<u>ROLL CALL VOTE</u>	<u>YE/NAY/ABSTAIN/ABSENT</u>
MUHAMMAD	_____
BARNES	_____
HINES	_____
KENNEDY	_____
ATKINSON	_____
NOBLE	_____
WASHINGTON	_____

I HEREBY CERTIFY that the above Ordinance No. __-20 was passed by the required ye and nay vote of the Mayor and Council of the Town of Forest Heights on the ____ day of _____ 2020.

ATTEST:

THE TOWN OF FOREST HEIGHTS

Sherletta Hawkins, Town Clerk

By: _____
Habeeb-Ullah Muhammad, Mayor

By: _____
Calvin Washington, Council President

CERTIFICATION

I HEREBY CERTIFY that following its passage, a summary of this Ordinance No. __-20 has been published at least twice in the Town newsletter or a newspaper having general circulation in the Town of Forest Heights and that an executed copy of this ordinance has been delivered to General Code, LLC for codification.

Date: _____

Sherletta Hawkins, Town Clerk

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[Brackets] : Indicate matter to be deleted from existing law
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